

## GUIDELINE

# Modifications to a motor vehicle

### Operational guideline

The National Injury Insurance Agency, Queensland (NIISQ Agency) will fund necessary and reasonable costs of modifications to a motor vehicle where a participant requires modifications to access, travel as a passenger or drive a motor vehicle as a result of the motor vehicle accident injury.

The motor vehicle must be owned by the participant or their parent/guardian.

In order to fund motor vehicle modifications, NIISQ Agency may obtain advice on all suitable transport options and recommended modifications, including costing of identified options.

All vehicle modifications require prior approval in writing.

NIISQ Agency highly recommends confirmation of pre-approval of modifications before purchasing a new motor vehicle.

All requests for vehicle modification will be assessed against the *NIISQ Agency Guideline for Necessary and reasonable considerations*.

### Eligibility for modifications

Participants eligible for modifications to a motor vehicle:

- have a physical, sensory and/or cognitive disability as a result of a motor vehicle accident which prevents them from safely driving, accessing or travelling as a passenger in an unmodified motor vehicle,
- own or have access to a motor vehicle on a regular basis; and
- have been assessed by a driver trained occupational therapist as requiring modifications to a motor vehicle.

Participants intending to return to driving may require certification in writing from their medical practitioner that they are medically fit and competent to drive in order to satisfy legal requirements to obtain or retain a driver's licence.

NIISQ Agency will only fund modifications to a motor vehicle for the participant who intends to obtain or retain their licence when the participant's medical practitioner or treating team have confirmed in writing their medical fitness for driving, and suitability for driving assessment.

### NIISQ Agency will fund the necessary and reasonable cost of:

- assessment conducted by a driver trained occupational therapist;
- modifications to a motor vehicle assessed as necessary by a driver trained occupational therapist;
- training the driver in the safe and correct use of vehicle modifications once fitted;
- maintaining, repairing, transferring and replacing modifications.

## NIISQ Agency is generally not able to fund:

- vehicle modifications or driving programs when it is:
  - not related to the transport accident injuries;
  - not necessary, reasonable or appropriate;
  - not clinically justified, safe or effective.
- modifications that do not comply with *Queensland Vehicle standards and Safety Regulation 2010* and *Vehicle Registration Regulation 2010*.
- items generally available for purchase for more common use including rear-vision cameras and rear parking sensors, global positioning devices, mirrors, air conditioning, cruise control, window tinting and standard trailers;
- any costs normally associated with motor vehicle ownership including running costs, registration and insurance.;
- transmission conversions from manual to automatic (not recommended by vehicle modifiers);
- manual adaptor for a manual clutch (not recommended by vehicle modifiers);
- replacement of a stolen item;
- repairs required as a result of misuse of the vehicle or damage caused by misuse;
- major vehicle modifications to more than one vehicle;
- modifications to a motor vehicle for a circumstance or condition that existed before a motor vehicle accident or that is not a result of a motor vehicle accident;
- modifications to a motor vehicle that do not maximise the participant's independence (for example, modifications to allow a participant to drive a vehicle that they are not independently able to transfer into or out of)
- modifications to a motor vehicle that are of no clear benefit to a participant;
- the purchase of a motor vehicle;
- rectification of a vehicle back to pre-modification status;
- modification to a vehicle if it is over 10 years old or has covered more than 160,000 km.
- conversion of a commercial vehicle to a passenger vehicle (eg converting a commercial use van to a passenger vehicle). For example: retrofitting a bus pack to a commercial van

## Maintenance of motor vehicle modifications

The modified motor vehicle remains the property of the owner. All costs normally associated with motor vehicle ownership, including running costs and servicing, are the owner's responsibility.

NIISQ Agency will only fund the necessary and reasonable cost of additional maintenance, repair and replacement of those motor vehicle modifications required or installed as a result of the motor vehicle accident and funded by NIISQ Agency.

## Frequency of funding modifications to a motor vehicle

If the owner of a motor vehicle which has previously been modified wishes to purchase a replacement motor vehicle, then NIISQ Agency considers it reasonable to transfer the modifications that are not commercially available to this replacement motor vehicle if appropriate.

NIISQ Agency considers it reasonable to fund modifications to a motor vehicle not more often than every 8 years, unless there is a change in the participant's eligible medical condition which prevents the participant accessing the previously modified motor vehicle.

When considering frequency of funding modifications to a motor vehicle NIISQ Agency will consider:

- the participant's needs as a result of the motor vehicle accident injury;
- suitability of the vehicle for modification; and
- the participant's current and future transport needs.

The information provided in this document is a guideline only and is for general information purposes and is subject to change and does not constitute legal advice or recommendations. It should not be relied upon as constituting legal advice or a recommendation or as applicable to specific circumstances. Please refer to the *National Injury Insurance Scheme (Queensland) Act 2016* and *Regulation 2016* for more details about the National Injury Insurance Scheme, Queensland.

Guideline for modifications to a motor vehicle V4 -20201119

## More information

For more information contact the NIISQ Agency: